GOVERNMENT OF INDIA
INFORMATION AND BROADCASTING
LOK SABHA

UNSTARRED QUESTION NO:1406
ANSWERED ON:02.03.2001
REVIEW OF CENSOR BOARD
KANTI SINGH;RAGHUVANSH PRASAD SINGH

Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a): whether a provision of the Cinematograph Act, 1981 by which the Government reviews the decision of the Censor Board or the Appellate Tribunal regarding clearance of a film has been declared `unconstitutional` by the Supreme Court;

(b): if so, the main reasons pointed out by the Supreme Court;

(c): whether any new legislation is being considered by the Government in this regard; and

(d): if so, the details thereof?

Answer

THE MINISTER OF INFORMATION AND BROADCASTING (Smt. SUSHMA SWARAJ)

(a) & (b): The revisional powers of the Central Government, conferred by Section 6(1) of the Cinematograph Act, 1952, have been held as `unconstitutional` by the Supreme Court on the ground that the executive cannot sit in an appeal or review or revise the order of a quasi-judicial body.

(c) & (d): Government is examining the matter.